L.D. 139-93

G. R. S. IX-5]

Previous references.

~~191~~ 1903-04

(nil)

File No. 101-01

Serial Nos. ~~1~~ 2 12-13

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. ~~1~~ 2 12-13

nil ~~Part~~ B for June 05

SUBJECT.

Proposal to amend Sections 58, 61, 62 of the municipal regulations re the recovery of the liquor license fees by monthly instalments.

W D 1250—GPB—30,000 28-1-19

Genl and Rev Secretariat

~~Office of the Dewan of Mysore.~~

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch Local Boards.

Subject

Levy of Registration fees from arrack shop keepers in the Mysore City.

President's No 125 & 8.2.1904.

Under Sec 58 of the Municipal Regulations every place for sale of spirituous liquor has to be registered annually in the Office of the Municipal Commissioners.

Under Sec 61 every certificate of registration granted before 31st December shall be in force until the 31st December and certificates granted after the 31st December shall expire on the 31st December next after the day of the granting thereof.

Sec 62 prescribes the penalty for carrying on the retail sale of Spirituous or intoxicating liquors without having registered

the

the Shop for the space of 2 months in any calendar year.

2. At the meeting held on the 30th January 1904 the Ingoore City Municipal Board resolved to amend the above three Sections as follows.

(i) Sec 58. Under section 58, as it now stands, every person who vends liquor has to pay in advance the annual registration fee, although he may vend in a portion of the year. This, the Board consider, is a hardship and propose a revision of the said section to meet such cases by levying the fee quarterly instead of yearly.

(ii) Sec 61. In section 61 the words "31st December should be altered to "30th June" to be in keeping with the closing of the official year.

(iii) Sec 62. Under section 62 a dealer in liquor can not be prosecuted till after the expiry of two months from the commencement of business. If the vendor fails to pay the registration fee to the Municipality in these two months it will be lost in case it

is recovered by suit in courts. The Board, therefore, propose that the Section should be so revised as to prevent the vendors from selling liquor without obtaining previously a certificate of registration.

3. The President states that the following case made the Board suggest the alterations.

One Thandava Murthi Naidu purchased at Government sale the right to vend arrack in Shop No 2 in the Thandra Revalla for the year 1903-04. He carried on business from the 1st July to the 19th September 1903 on which date his ~~life~~ license was forfeited as he failed to pay the Shop rent to Govt. Thandava-Murthi had not registered his premises under Sec 58 of the Municipal Regulations and he, therefore, was prosecuted under Sec 62 thereof. The case is still pending before the City Magistrate's Court. Meanwhile the registration fee of Rs 45/- tendered by Thandava-Murthi Naidu is held in deposit.

One Ranganna, who on behalf of Thandavamurthi Naidu, purchased the right of vending arrack in the said shop commenced business in October 1903 and paid Rs 137-4 @ Rs 15/- a month as the amount of the registration fee for the remaining days of the year from the date he was allowed to ~~work~~ carry on business in the shop He refuses to pay for the whole year as required by Section 58.

Submitted for orders

[illegible]

In July 1903 the President of the Mysore City Municipal Commission solicited permission to allow dealers in Spirituous or intoxicating liquors to pay the municipal Registration fee by

by monthly Kists instead
of two equal half yearly instal-
ments as at present. After some
correspondence on the matter
Page 4 the Govt in their Proc. No. 9117-50-LR 1-9-03
of the 6th December 1902 ordered
as follows.

"Government are not prepared
to alter the law so as to authorize
payment by monthly instead
of by half yearly instalments."
RJ 23/2/04

The question for consideration
is, whether it is necessary to modify
sections 58, 61 & 62
~~enacted~~ of the Municipal Regulation
~~passed and in force~~ in the manner
proposed by the President of the
Mysore City Municipality, when
the new Regulation is before
the Council.

24/2/04

Subd to the Dewan
thro' the 2nd Sr
26/2/04

Appr Secy Legislative Branch.

As cases of the kind
dealt with in sections 58 & 62
of the present Law proposed to
be done away with under the
New Law.
27/2/04

11/2

by the Board -

C.

4/3/04

The Legislative Dept may be asked to note this in regard to the Municipal Provisions [illegible] in the draft Regulations - Our Municipalities cannot afford to give up the items of this kind - C

4/3/04

1636
5.3.04.

Yes
6.3.04

8/3/04

To the Legislative Dept.

8/3/04.

From the President of the Nagpore City Municl Comm. No 173 d 8.5.1905

Solicits early orders on his letter No 125 d the 18.2.1904.

May the President be informed that the passing of the New Municl Regulation should be awaited? Subs for orders (with draft)

6-6-1905

7/6/05

9/6/1905

G.R.S. 12]
General and Revenue Secretariat.

8

File No. 139 of ~~190~~ 1893.

Serial No.

To the President of the Imperial Council No 113/108 10-6-05

As regards the modifications proposed informs the Pres'd. that the passing of the Indian Mineral Regn be awaited

MGCPB—20,000—1-11-04.

1903-1904

No. 125

Reminder No. 1738 8/5/05

THE CITY MUNICIPAL OFFICE,
MYSORE.

Dated 8 February 1904

From

B. K. Venkataravanda Iyengar Esqr
PRESIDENT, CITY MUNICIPAL COMMISSION,
MYSORE.

Munl
101-01-12

To

L. Ananthanarayana Rao Esqr B.A
SECRETARY TO THE GOVT. OF MYSORE,
in the REV. & GEN. DEPTS.

Sir,

I have the honour to report for the Consideration and orders of Government the recommendation conveyed in the accompanying Copy of the resolution of the Board proposing certain amendments to sections 58, 61 and 62 of the municipal regulation

2 The recommendation made is based on the facts of the case stated below

3 Thondava-murthe-Naidoo purchased at Government sale the right to vend arrack in shop No 2 in the Mandy Mohalla of the Mysore City. He carried on business from the 1st July 1903 and on the

19th

19th September 1903, his license was forfeited as he failed to pay the shop rent to Government, and the right to vend in that shop was resold by Government and was purchased by one Rangiya, who began business in October 1903

4 Thondava murthi naidoo, the former holder of the shop, did not register his premises as required in section 58 of the municipal Regulations Under section 62 of the said Regulations, he was liable to be prosecuted after the expiry of two months from the beginning of the year ie in the month of September 1903. He was accordingly prosecuted before the Mysore City magistrate under section 62 of the Municipal Regulations and the case is still pending before that Court. Meanwhile Thondava murthi Naidoo tendered to the municipality Rs 45 as the registration fee due on his shop for the quarter in which he carried on business this amount is held in deposit.

5 Rangiya, the 2nd purchaser, was served with a notice to pay the registration fee, as section 58 of the municipal Regulations requires every person dealing in liquor to register his premises — Rangiya tendered Rs 137 the amount of the registration fee

fee for the remaining days of the year from the date he was refused to vend arrack, at the rate of Rs 15 per month or Rs 180 per year; but he refused to pay for the whole year as required by the rules. "

These facts were discussed in the Board & they are of opinion that under section 58, as it now stands; every person who vends liquor has to pay in advance an annual registration fee of Rs 180 although he may vend in a portion of the year. This, the Board consider, is a hardship and propose a revision of the said section to meet such cases In section 61 the words "31st December" should be altered to "30th June to be in keeping with the closing of the official year. Under section 62 a dealer in liquor cannot be prosecuted till after the expiry of two months from the Commencement of business. If the vender fails to pay the registration fee to the municipality in these two months it will be lost unless it is recovered by suit in Courts. The Board, therefore, propose that the section should be so revised as to prevent

Venders

Venders from selling liquor without
obtaining previously a certificate
of registration

I have the honour to be,
Sir
your most obedient servant

B. K. Sen Gupta

President
City municipality, Mysore

Extract from the proceedings of the
Mysore City Municipal Board, dated
the 30th January 1904

× × × × ×

V

Considered the Vice-President's memo
dated 25th October 1903 re the
registration fees to be levied from
Arrack shop-keepers.

Resolved that the Government
be asked to revise sections 58,
61 and 62 of the municipal regulations
so as to enable the Board to levy
the registration fees in advance by
quarters but not by years and further
resolved that the vend of liquor
without certificates be prohibited and
section 62 altered accordingly

× × × ×

Sd BK Venkataravaradachariar
Mun. President

Extract
[illegible]
Municipal President.

G.R.S. 28]

Mund 101-01 & 13

File No.

Serial No. 2

Diary No. of letter replied to 7683

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Mund)

, the 190

Date of issue

Signed by

READ.—
Letters Nos 1253 the 8th February 1904 and 1738 the 8th May 1905 from the President of the Mysore City Municipal Council proposing certain amendments of Secs 58, 61 and 62 of the Municipal Regulations in re the recovery of liquor license fees by monthly instalments.

ORDER THEREON.—NO.

Order thereon. No.
~~The President to be informed~~
that the passing of the

over

No 1137
Jail E.139-93.
D/. 10.6.05

SUBJECT

As regards the amendments of Secs 58, 61 & 62 of the Mund Regns proposed by the Mysore City Municipal Council. Inform the President that the passing of the New Regn be awaited

MGCPB—9,000—11-9-04

- The keeping of the
New Municipal Regulation
Should be awaited

8/6/05

Secretary

7/6/05

To

The President of the Improvement
City Council

H.G.H.
6.6.1905